

LAWS
OF HIS MAJESTY,
KAMEHAMEHA V.,
KING OF THE HAWAIIAN ISLANDS,
PASSED BY THE
LEGISLATIVE ASSEMBLY,
AT ITS SESSION,
1864-65.

HONOLULU:
PRINTED BY ORDER OF THE GOVERNMENT.
1865.

EXHIBIT 51

General shall take immediate steps to have such charter annulled.

SECTION 29. Nothing in this Act contained shall be construed to forbid the free establishment of select and independent schools, to be supported without assistance from the Government, provided they be not of an immoral tendency. The teachers of such schools shall annually report to the Board of Education the number of their scholars, by what means supported, and the general character and condition of their respective schools.

OF ENGLISH SCHOOLS FOR HAWAIIAN BOYS AND GIRLS.

SECTION 30. It shall be lawful for the Board of Education to contribute, out of the funds at its disposal, towards the establishment of one or more boarding schools for the instruction of Hawaiian boys in the English language, and other branches of education.

The Board shall determine upon the course of education to be followed; shall appoint, pay and remove, when it deems proper to do so, the masters and teachers, and shall determine in what cases the boys shall be admitted free of charge, and in what cases the parents or guardians of the children shall contribute toward their support, and to what extent. The Board shall furthermore have full power to arrange all the details necessary for the encouragement of good morals, sound bodily health, and useful education in the school or schools established in conformity with this section.

SECTION 31. The Board of Education shall also contribute, to the greatest extent, that the means at its disposal will allow, towards the support of family schools for Hawaiian girls, whether established by the Board or by private individuals, and in fostering such schools it shall enjoy the fullest discretionary power.

OF SCHOOL LANDS, SCHOOL HOUSES AND CHURCH SITES.

SECTION 32. The Board of Education is hereby authorized to dispose by sale, lease, or otherwise, of any of the lands which have been, or hereafter may be, set apart for the general purposes of education.

SECTION 33. All moneys and other avails of Government lands set apart for the general purposes of education, shall be kept as a separate fund, and the interest only of such fund shall be appropriated, as the Board of Education shall, from time to time, decide, for the purposes of education.

SECTION 34. All avails of land sold, leased, or otherwise disposed of, as hereinbefore provided, shall be accounted for by the Board of Education in its report to the Legislature.

SECTION 35. All sites for school houses and houses for public worship, not owned by private parties, societies or corporations, and all lands connected therewith, which have been granted by or to the Government, for the purpose of promoting the interests of education or religion, shall be reserved as Government property, so long as they are devoted to the purpose for which they were granted, and shall be under the charge and control of the Board of Education; and in case they shall cease to be used for the purposes for which they were granted, for not less than one year, they shall revert to the original grantors or their representatives. In all cases where lands are sold, or otherwise disposed of, the sites for school houses and houses for public worship, shall not be included in such sale or disposition.

SECTION 36. In all cases where the sites and school lands, mentioned in the last preceding section, constitute a part of the lands held in common by the Government and individuals, such sites and school lands shall be regarded as making a part of the Government portion of the land held in common, and shall be so regarded in every sale or disposition of the lands in which they are located.

SECTION 37. Where a site for a school house is needed, and the same cannot be as well located on Government land as upon that of a private individual, the school agent of the district is authorized to take a suitable lot, not exceeding one-half acre, as a site for such school house, first paying to the owner the value thereof; such value, in case of disagreement, shall be determined by a jury of three men, to be chosen, one by the school agent, one by the owner of the land, and the third by

the two already chosen by the school agent and owner ; the said jury shall have the power to locate the lot desired for the school house, in a place different from that chosen by the school agent, should they deem it more reasonable and proper ; *provided, however*, that it shall not be lawful to appropriate for such purpose any private burying ground or house lot, against the will of the owner thereof.

SECTION 38. The Board of Education shall have all the school lands, and sites for schools and churches mentioned in this Act, so far as practicable, properly surveyed and registered in a book, to be deposited in their office, for the use of the King's Government, and open to the inspection of private individuals desiring to examine the same. The expense of such surveys shall be defrayed out of the interest arising from the avails of the school lands.

GENERAL PROVISIONS OF THE PARENTAL AND FILIAL DUTIES.

SECTION 39. It shall be the duty of all children, within the years of legal majority, to obey all the lawful and moral commands of their parents, respecting, first, as most obligatory, those of the father, and next, those of the mother ; and, if adopted, as by law allowed, the lawful and moral commands of the parents by adoption ; and, in default of natural or adopted parents, the lawful and moral commands of the guardians appointed according to law ; and in case of continued, willful and obstinate disobedience on the part of a child, it shall be lawful for any Police or District Justice, upon complaint being made by any parent or guardian, to cause the said child to be arrested and brought before him ; and should it appear to the said Justice that such child is guilty of continued, willful and obstinate disobedience, he shall sentence the said child to imprisonment at hard labor, for a term not exceeding ten days ; *provided, however*, that no child under ten years of age shall be amenable to the provisions of this section.

SECTION 40. Parents, that is to say, first the father and then the mother, or, in case they be both dead, guardians, legally appointed, shall have control over the actions, the conduct and the education of their children within the years of legal ma-